

THEODORE J. KURTZ  
NEVADA BAR NO. 1344  
SELMAN BREITMAN LLP  
3993 Howard Hughes Parkway, Suite 200  
Las Vegas, NV 89169-0961  
Telephone: 702.228.7717  
Facsimile: 702.228.8824  
Email: tkurtz@selmanlaw.com

Attorneys for Defendant EVEREST  
NATIONAL INSURANCE COMPANY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CENTEX HOMES, a Nevada general  
partnership,

Plaintiff,

v.

FINANCIAL PACIFIC INSURANCE  
COMPANY, a California  
corporation; EVEREST NATIONAL  
INSURANCE COMPANY, a Delaware  
corporation; ARCH SPECIALTY  
INSURANCE COMPANY, a Nebraska  
corporation; LEXINGTON INSURANCE  
COMPANY, a Delaware corporation;  
NORTHERN INSURANCE COMPANY OF  
NEW YORK, an Illinois  
corporation; ASSURANCE COMPANY  
OF AMERICA, an Illinois  
corporation; and MARYLAND  
CASUALTY COMPANY, an Illinois  
corporation,

Defendants.

Case No. 2:16-cv-02267-APG-PAL

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME FOR DEFENDANT  
EVEREST NATIONAL INSURANCE  
COMPANY TO FILE RESPONSIVE  
PLEADING TO PLAINTIFF'S  
COMPLAINT**

**(FIRST REQUEST)**

Defendant Everest National Insurance Company (hereinafter "Everest"), by and through its counsel Theodore J. Kurtz of Selman Breitman LLP and plaintiff Centex Homes (hereinafter "plaintiff"), by and through its counsel Sarah J. Odia of Payne & Fears LLP, hereby stipulate and agree to extend the deadline for Everest to file a responsive pleading to the plaintiff's complaint

1 until February 16, 2017. Everest was served with the complaint through the Nevada Insurance  
 2 Commissioner's office on December 16, 2016. Accordingly, Everest's response is currently due  
 3 on January 17, 2017. There is good cause for this agreement between counsel to extend the time  
 4 for Everest to respond to the complaint. Counsel for Everest was only recently retained and  
 5 therefore requested additional time to prepare the responsive pleading on behalf of Everest. In  
 6 response to the request, plaintiff's counsel agreed to extend the time for a responsive pleading to  
 7 be filed on behalf of Everest by 30 days. Accordingly, the responsive pleading on behalf of  
 8 Everest to the plaintiff's complaint will be due on Thursday, February 16, 2017. This case was  
 9 commenced on September 27, 2016 and no scheduling order has been entered. Consequently, this  
 10 stipulation to extend the time for Everest to respond to the complaint will not affect any current  
 11 deadlines in this case.

12 Pursuant to Local Rule 6-1, this is the first request to the Court for an extension of  
 13 Everest's deadline to respond to the complaint. The extension is submitted consistent with an  
 14 agreement between counsel to extend Everest's deadline to file its responsive pleading to the  
 15 complaint until February 16, 2017, is entered into in good faith and is not intended to unduly delay  
 16 these proceedings.

17 DATED: January 12, 2016

PAYNE & FEARS LLP

19 By: /s/ Sarah J. Odia

20 SARAH J. ODIA  
 21 NEVADA BAR NO. 11053  
 22 7251 W. Lake Mead Blvd., #525  
 23 Las Vegas, NV 89128  
 24 Phone: 702.851.0300  
 25 Facsimile: 702.851.0315  
 26 Attorneys for Plaintiff CENTEX HOMES  
 27  
 28

1 DATED: January 12, 2016

SELMAN BREITMAN LLP

2  
3 By: /s/ Theodore J. Kurtz  
4 THEODORE J. KURTZ  
5 NEVADA BAR NO. 1344  
6 3993 Howard Hughes Parkway, #200  
7 Las Vegas, NV 89169-0961  
8 Phone: 702.228.7717  
9 Facsimile: 702.228.8824  
10 Attorneys for Defendant EVEREST NATIONAL  
11 INSURANCE COMPANY

8 **ORDER**

9 IT IS SO ORDERED, defendant Everest National Insurance Company's response to  
10 plaintiff's complaint is due on or before February 16, 2017.

11 Dated: January 13, 2017

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13 UNITED STATES MAGISTRATE JUDGE  
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Selman Breitman LLP  
ATTORNEYS AT LAW